

10. (New) The method according to Claim 9, further comprising the step of executing an analysis program in response to determining that the request has been provided.

11. (New) The method according to Claim 9, wherein one of a jump instruction and an interrupt instruction is provided at a predetermined memory location to start processing an analysis program.

RESPONSE

Claims 1-11 are pending after adding Claims 9-11. No new matter has been added. The subject matter of Claims 9-11 is fully supported by the original disclosure on page 4, lines 6-30, of the specification.

Claim 2 was rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 2 has been amended, and it is respectfully submitted that the Specification fully supports amended Claim 2. For example, the Specification states:

Furthermore, auxiliary program memory area 102 can also be used to **communicate to the analysis program which registers, ports, and the like of computer 1 are to be analyzed.** For this purpose, instructions are to be written in from outside into a preselected area of auxiliary memory area 102, which cause analysis program 101 to investigate the corresponding areas of computer 1. (Specification, p. 4, ll. 7-11).

Therefore, it is respectfully requested that this objection be withdrawn.

Claims 1 - 8 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,212,059 to Sato et al. ("the Sato reference"). It is respectfully submitted that Claims 1 -8 are not anticipated by the Sato reference for at least the following reasons.

To reject a claim under 35 U.S.C. § 102(b), the Office must demonstrate that each and every limitation is identically disclosed in a single prior art reference. *See Scripps Clinic & Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q.2d 1001, 1010 (Fed.Cir. 1991). "The identical invention must be shown in as complete detail as is contained in the claim." M.P.E.P. § 2131.

Claim 1 recites in part:

diverting an access of the computer, by a switchover device, such that the access is directed to an alternate memory rather than to the working memory; and

executing an auxiliary program in the alternate memory when activated by the computer, the auxiliary program making available information concerning internal operating states of the computer. (*Emphasis added*).

In contrast, the Sato reference discloses:

The operation console is provided with a microprocessor having a first operation mode carrying out at least a normal operation processing function and a second mode executing both a maintenance command processing function and a normal operation processing function, and with a **memory for storing a maintenance command processing routine** for executing the maintenance command processing function. (*Sato, Abstract*) (*Emphasis added*).

To facilitate the second mode, the Sato reference provides an "abnormal processing routine" which is stored on a flexible disk. (*Sato*, col. 8., l. 59 – col. 9, l. 45; col. 10, ll. 29-31). The Sato reference further states:

In the invention, the abnormal processing routine 212 (FIG. 7) is stored in the flexible disk unit. The reason for this is that the abnormal processing procedure is complex and long. That is to say, the routine is once stored in the memory and, when necessary, it is read out onto the overlay area for execution. (*Sato*, col. 9, ll. 44-49).

The Sato reference thus uses the same memory to execute the "normal processing routine" and the "abnormal processing routine," and the Sato reference does not disclose "executing an auxiliary program in the alternate memory," as recited in Claim 1. Thus, the Sato reference fails to disclose each and every element of Claim 1, and therefore the Sato reference does not anticipate Claim 1 or its dependent Claims 2-8. Therefore, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully Submitted,

Dated: 4/9/03

By: for Rich L. Mayer (by
Richard L. Mayer
Reg. No. Reg. No. 22,490
KENYON & KENYON
CUSTOMER NO. 26646

J. L. Kenyon
R. No.
36,197)

AMENDMENT VERSION WITH MARK-UPS**In the Claims:**

2. (Amended) The method according to Claim 1, further comprising the step of posing instructions [a query] in the auxiliary program as to which information [is of interest to the user] regarding the computer should be investigated.